

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1001(ss) be amended to read as follows:

- 1 Page 361, between lines 9 and 10, begin a new paragraph and insert:
- 2 "SECTION 403. [EFFECTIVE JULY 1, 2002] (a) **The department**
- 3 **of state revenue shall adopt rules to prohibit gasoline price**
- 4 **gouging.**
- 5 (b) **The rules adopted under this SECTION must prohibit**
- 6 **gasoline price increases that exceed the average per gallon price of**
- 7 **gasoline during the four (4) month period preceding the price**
- 8 **increase unless the gasoline price increase is in response to a**
- 9 **corresponding increase in the price of crude oil.**
- 10 (c) **The rules adopted under this SECTION must use the**
- 11 **average price of gasoline on each Monday, Tuesday, and**
- 12 **Wednesday of the four (4) month period described in subsection (b)**
- 13 **to compute the average price of gasoline for the four (4) month**
- 14 **period.**
- 15 (d) **The rules adopted under this SECTION must impose a civil**
- 16 **penalty upon gasoline retailers that increase gasoline prices in**
- 17 **violation of the rules. The civil penalty imposed under the rules**
- 18 **must be equal to:**
- 19 (1) **the amount by which the improper increase exceeds the**
- 20 **appropriate average price; multiplied by**
- 21 (2) **the number of gallons sold at the improper price;**
- 22 **multiplied by**
- 23 (3) **two (2).**

1 (e) The civil penalty must be remitted to the department of state
2 revenue on a form prescribed by the department. The department
3 shall transfer the penalties to the treasurer of state for deposit in
4 the state highway fund established under IC 8-23-9-54.

5 (f) A gasoline retailer may not pass on to consumers the cost of
6 a penalty imposed under rules adopted under this SECTION.

7 (g) This SECTION expires on the later of:

8 (1) July 1, 2003; or

9 (2) the date on which rules adopted under this SECTION
10 become effective."

11 Renumber all SECTIONS consecutively.

(Reference is to HB 1001(ss) as printed June 3, 2002.)

Representative Dvorak